

ORDINANCE NO. 20160922-065

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 3417 EAST MARTIN LUTHER KING, JR. BOULEVARD IN THE EAST MLK COMBINED NEIGHBORHOOD PLAN AREA FROM FAMILY RESIDENCE-NEIGHBORHOOD PLAN (SF-3-NP) COMBINING DISTRICT TO TOWNHOUSE AND CONDOMINIUM RESIDENCE-CONDITIONAL OVERLAY-NEIGHBORHOOD PLAN (SF-6-CO-NP) COMBINING DISTRICT.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. The zoning map established by Section 25-2-191 of the City Code is amended to change the base district from family residence-neighborhood plan (SF-3-NP) combining district to townhouse and condominium residence-conditional overlay-neighborhood plan (SF-6-CO-NP) combining district on the property described in Zoning Case No. C14-2016-0025, on file at the Planning and Zoning Department, as follows:

A tract of land containing 6.27 acres, being a portion of Outlot 24, Division "B", of the government outlots adjoining the Original City of Austin, Travis County, Texas, according to the map or plat of said government outlots on file in the General Land Office of the State of Texas, same being a portion of Lot 1, Block A, St. James Missionary Baptist Church Subdivision, a subdivision recorded in Document Number 200200217, Official Public Records of said county, said 6.27 acres also being a portion of that certain 20.658 acre tract of land described in a general warranty deed to St. James Missionary Baptist recorded on May 12, 2000 and recorded in Document Number 2000072951, Official Public Records of said county, said 6.27 acre tract being more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance, and;

A tract of land containing 2.86 acres, being a portion of Outlot 24, Division "B", of the government outlots adjoining the Original City of Austin, Travis County, Texas, according to the map or plat of said government outlots on file in the General Land Office of the State of Texas, same being a portion of Lot 1, Block A, St. James Missionary Baptist Church Subdivision, a subdivision recorded in Document Number 200200217, Official Public Records of said county, said 2.86 acres also being a portion of the following two tracts of land: 1) that certain 20.658 acre tract of land described in a general warranty deed to St. James Missionary Baptist Church recorded on May 12, 2000 in Document Number 2000072951, Official Public Records of said county, 2) that certain 1 acre tract of land described

in a general warranty deed to St. James Missionary Baptist Church recorded on April 28, 2000 in Document Number 2000064181, Official Public Records of said county, and being more particularly described by metes and bounds in Exhibit "B" incorporated into this ordinance (cumulatively referred to as the "Property"),

locally known as 3417 East Martin Luther King, Jr. Boulevard in the City of Austin, Travis County, Texas, generally identified in the map attached as Exhibit "C".

PART 2. The Property within the boundaries of the conditional overlay combining district established by this ordinance is subject to the following conditions:

- A. Development of the Property shall not exceed 72 residential units.
- B. The public roadway connection from the Property to East 17th Street shall be limited to emergency vehicle access by a standard traffic management device.

Except as specifically restricted under this ordinance, the Property may be developed and used in accordance with the regulations established for the townhouse and condominium residence (SF-6) district and other applicable requirements of the City Code.

PART 3. The Property is subject to Ordinance No. 021107-Z-12c that established zoning for the East MLK Combined Neighborhood Plan.

PART 4. This ordinance takes effect on October 3, 2016.

PASSED AND APPROVED

September 22, 2016

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§
§

Steve Adler
Mayor

APPROVED: _____
Anne L. Morgan
City Attorney

ATTEST: _____
Jannette S. Goodall
City Clerk

DESCRIPTION

DESCRIBING A TRACT OF LAND CONTAINING 6.27 ACRES, BEING A PORTION OF OUTLOT 24, DIVISION "B", OF THE GOVERNMENT OUTLOTS ADJOINING THE ORIGINAL CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, ACCORDING TO A MAP OR PLAT OF SAID GOVERNMENT OUTLOTS ON FILE IN THE GENERAL LAND OFFICE OF THE STATE OF TEXAS, SAME BEING A PORTION OF LOT 1, BLOCK A, ST. JAMES MISSIONARY BAPTIST CHURCH SUBDIVISION, A SUBDIVISION RECORDED IN DOCUMENT NUMBER 200200217, OFFICIAL PUBLIC RECORDS OF SAID COUNTY, SAID 6.27 ACRES ALSO BEING A PORTION OF THAT CERTAIN 20.658 ACRE TRACT OF LAND DESCRIBED IN A GENERAL WARRANTY DEED TO ST. JAMES MISSIONARY BAPTIST CHURCH RECORDED ON MAY 12, 2000 AND RECORDED IN DOCUMENT NUMBER 2000072951, OFFICIAL PUBLIC RECORDS OF SAID COUNTY, SAID 6.27 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING, at a ½" iron rod at the northwest corner of said Lot 1, Block A, same being the northeast corner of Lot 1, Block "B", McKinley Heights Terrace, a subdivision recorded in Book 21, Page 32, Plat Records of said County and in the south right-of-way line of East Martin Luther King Jr. Boulevard (R.O.W. varies);

THENCE, with the north line of said Lot 1, Block A, same being the south right-of-way line of said East Martin Luther King Jr. Boulevard, N81°52'18"E, 50.01 feet to a calculated point;

THENCE, through the interior of said Lot 1, Block A, S07°06'42"E, 72.73 feet to a calculated point in a southwest line of a variable width drainage and public utility easement as shown on said St James Missionary Baptist Church Subdivision;

THENCE, continuing through the interior of said Lot 1, Block A and with said drainage and public utility easement, the following seven courses:

- 1) S39°06'51"E, 219.47 feet to a calculated point;
- 2) S45°27'14"E, 53.71 feet to a calculated point;
- 3) S86°59'21"E, 68.55 feet to a calculated point;
- 4) S10°52'20"E, 324.65 feet to a calculated point;
- 5) S23°20'32"E, 194.92 feet to a calculated point;
- 6) S22°22'17"E, 166.15 feet to a calculated point;

- 7) S63°09'00"E, 122.82 feet to a ½" iron rod in the south line of said Lot 1, Block A, same being the north line of City of Austin Evergreen Cemetery, as recorded in Volume 1688, Page 417, Deed Records of said County;

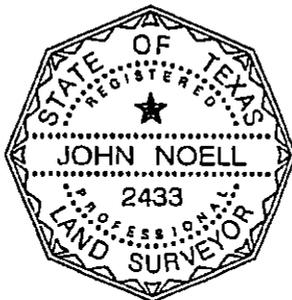
THENCE, with the south line of said Lot 1, Block A, same being the north line of said cemetery, S82°08'18"W, 233.52 feet to a ½" iron rod at the northwest corner of said cemetery tract recorded in Volume 1688, Page 417, same being the northeast corner of City of Austin Evergreen Cemetery, as recorded in Volume 381, Page 319, Deed Records of said County;

THENCE, with the south line of said Lot 1, Block A, same being the north line of said cemetery, S82°00'18"W, 252.46 feet to a ½" iron rod at the southwest corner of said Lot 1, Block A, same being the southeast corner of Lot 5, Block "C" of said McKinley Heights Terrace;

THENCE, with the west line of said Lot 1, Block A, same being the east line of said McKinley Heights Terrace, the following two courses:

- 1) N07°37'42"W, 281.67 feet to a ½" iron rod;
- 2) N07°06'42"W, 777.44 feet to the POINT OF BEGINNING and containing 6.27 acres of land.

Field Notes Prepared by:
URBAN DESIGN GROUP
3660 Stoneridge Road, # E101
Austin, Texas 78746
(512) 347-0040




John Noell, R.P.L.S. #2433
Date: 2-29-16

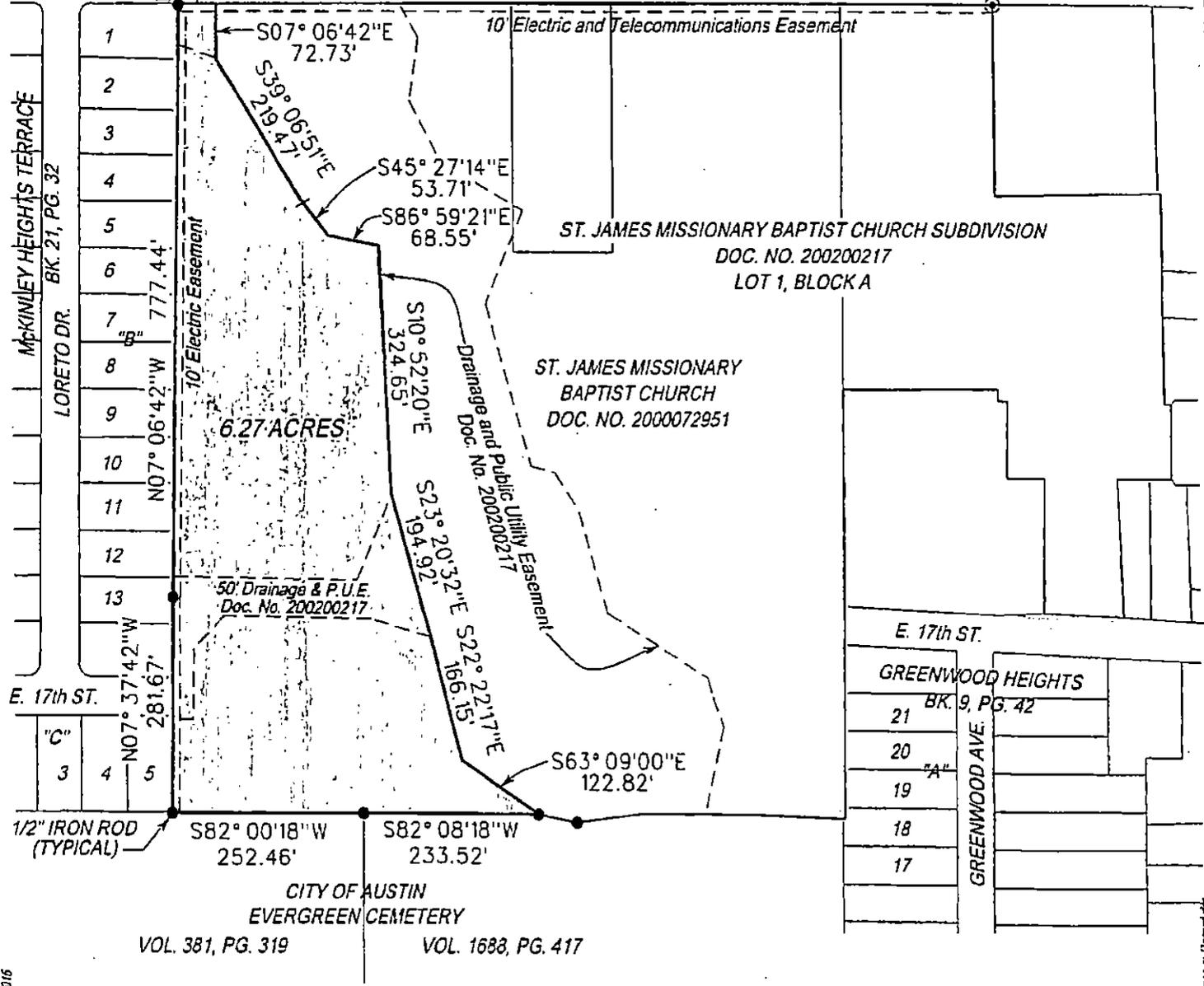
TBPLS NO. 10065900

Map attached.

Basis of Bearings: St. James Missionary Baptist Church Subdivision, Document Number 200200217, Official Public Records, Travis County, Texas.

References: TCAD: 02 1215 0303.
Austin Grid: L-23.

POINT OF BEGINNING
FIELD NOTE #1328
6.27 ACRES



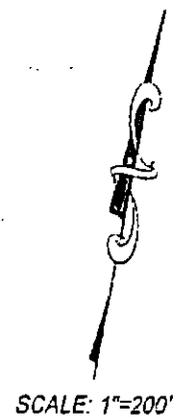
26/02/16

UDG
Urban Design Group
TX Registered Engineering Firm #7-1933
3660 Stoneridge Road
Suite E101
Austin, TX 78746
512.347.0040

John Noell
2.24.14

STATE OF TEXAS
REGISTERED
★
JOHN NOELL
2433
PROFESSIONAL
LAND SURVEYOR

URBAN DESIGN GROUP
TBPLS 10065900



FIELD NOTE #1328 TO ACCOMPANY THIS MAP.

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DESCRIPTION

DESCRIBING A TRACT OF LAND CONTAINING 2.86 ACRES, BEING A PORTION OF OUTLOT 24, DIVISION "B", OF THE GOVERNMENT OUTLOTS ADJOINING THE ORIGINAL CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, ACCORDING TO A MAP OR PLAT OF SAID GOVERNMENT OUTLOTS ON FILE IN THE GENERAL LAND OFFICE OF THE STATE OF TEXAS, SAME BEING A PORTION OF LOT 1, BLOCK A, ST. JAMES MISSIONARY BAPTIST CHURCH SUBDIVISION, A SUBDIVISION RECORDED IN DOCUMENT NUMBER 200200217, OFFICIAL PUBLIC RECORDS OF SAID COUNTY, SAID 2.86 ACRES ALSO BEING A PORTION OF THE FOLLOWING TWO TRACTS OF LAND:

- 1) THAT CERTAIN 20.658 ACRE TRACT OF LAND DESCRIBED IN A GENERAL WARRANTY DEED TO ST. JAMES MISSIONARY BAPTIST CHURCH RECORDED ON MAY 12, 2000 IN DOCUMENT NUMBER 2000072951, OFFICIAL PUBLIC RECORDS OF SAID COUNTY,
- 2) THAT CERTAIN 1 ACRE TRACT OF LAND DESCRIBED IN A GENERAL WARRANTY DEED TO ST. JAMES MISSIONARY BAPTIST CHURCH RECORDED ON APRIL 28, 2000 IN DOCUMENT NUMBER 2000064181, OFFICIAL PUBLIC RECORDS OF SAID COUNTY, SAID 2.86 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING, at a calculated point in the north line of said Lot 1, Block A, same being the south right-of-way line of East Martin Luther King Jr. Boulevard (R.O.W. varies), from which a ½" iron rod at the northwest corner of said Lot 1, Block A, same being the northeast corner of Lot 1, Block "B", McKinley Heights Terrace, a subdivision recorded in Book 21, Page 32, Plat Records of said County bears S81°52'18"W, 50.01 feet;

THENCE, with the north line of said Lot 1, Block A, same being the south right-of-way line of said East Martin Luther King Jr. Boulevard, N81°52'18"E, 449.99 feet to a calculated point from which a ½" iron pipe at the northeast corner of said Lot 1, Block A bears N81°52'18"E, 583.11 feet;

THENCE, through the interior of said Lot 1, Block A, the following two courses:

- 1) S08°07'42"E, 316.83 feet to a calculated point;

EXHIBIT " "
FN #1360
UDG #16-866.004
Page 2 of 2

St. James Missionary Baptist Church
Outlot 24, Division "B"
City of Austin, Travis County, Texas
(Zoning)

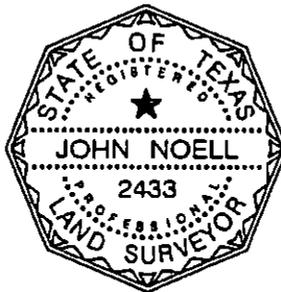
- 2) S81°52'18"W, 238.46 feet to a calculated point in a southwest line of a variable width drainage and public utility easement as shown on said St. James Missionary Baptist Church Subdivision;

THENCE, continuing through the interior of said Lot 1, Block A and with said drainage and public utility easement, the following three courses:

- 1) N86°59'21"W, 68.55 feet to a calculated point;
2) N45°27'14"W, 53.71 feet to a calculated point;
3) N39°06'51"W, 219.47 feet to a calculated point;

THENCE, continuing through the interior of said Lot 1, Block A, N07°06'42"W, 72.73 feet to the POINT OF BEGINNING and containing 2.86 acres of land.

Field Notes Prepared by:
URBAN DESIGN GROUP
3660 Stoneridge Road, # E101
Austin, Texas 78746
(512) 347-0040



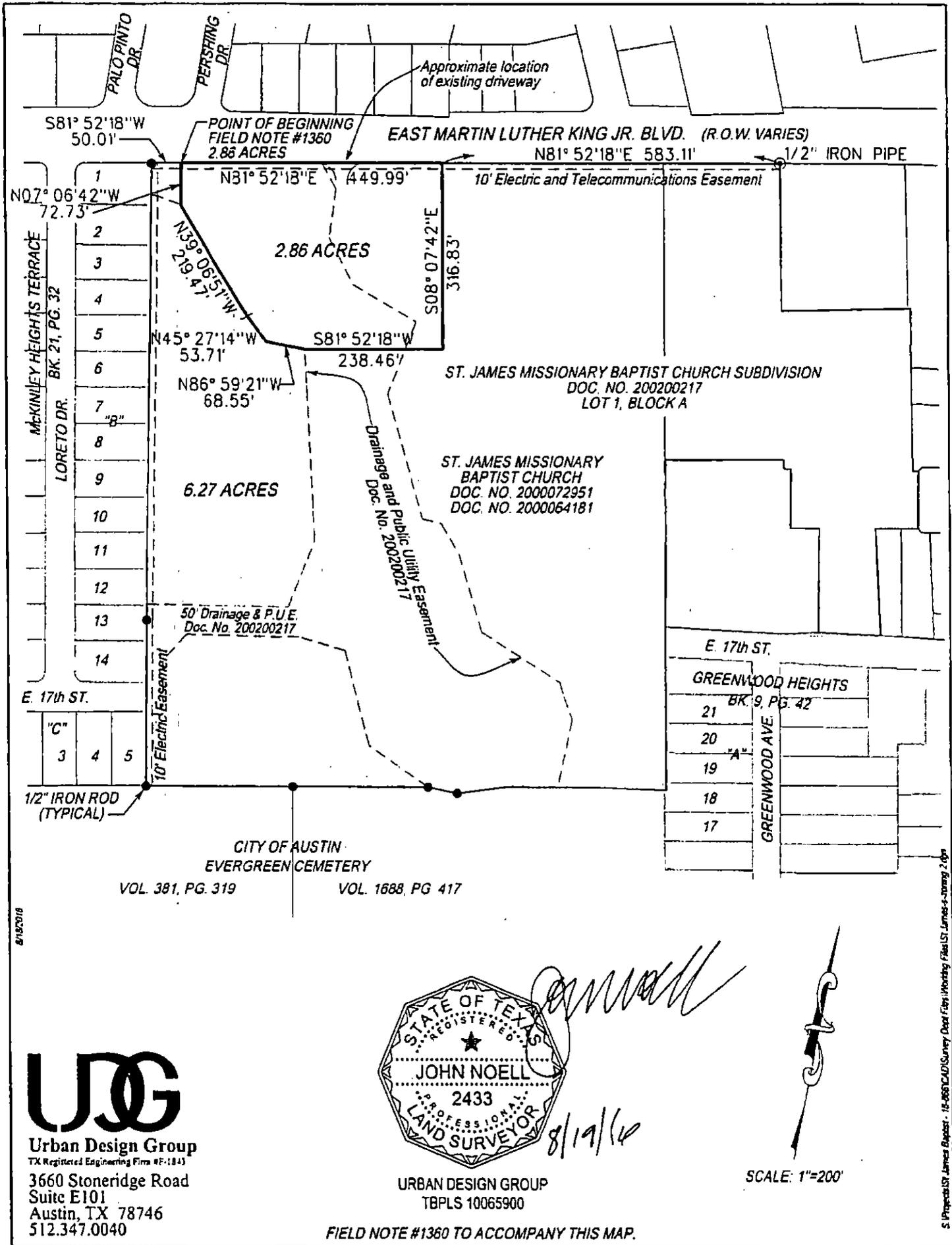
Handwritten signature of John Noell
John Noell, R.P.L.S. #2433
Date: 3/19/14

TBPLS NO. 10065900

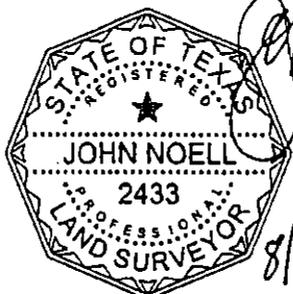
Map attached.

Basis of Bearings: St. James Missionary Baptist Church Subdivision, Document Number 200200217, Official Public Records, Travis County, Texas.

References: TCAD: 02 1215 0303.
Austin Grid: L-23.



UDG
Urban Design Group
 TX Registered Engineering Firm #E-1843
 3660 Stoneridge Road
 Suite E101
 Austin, TX 78746
 512.347.0040



URBAN DESIGN GROUP
 TBPLS 10065900

SCALE: 1"=200'

FIELD NOTE #1360 TO ACCOMPANY THIS MAP.

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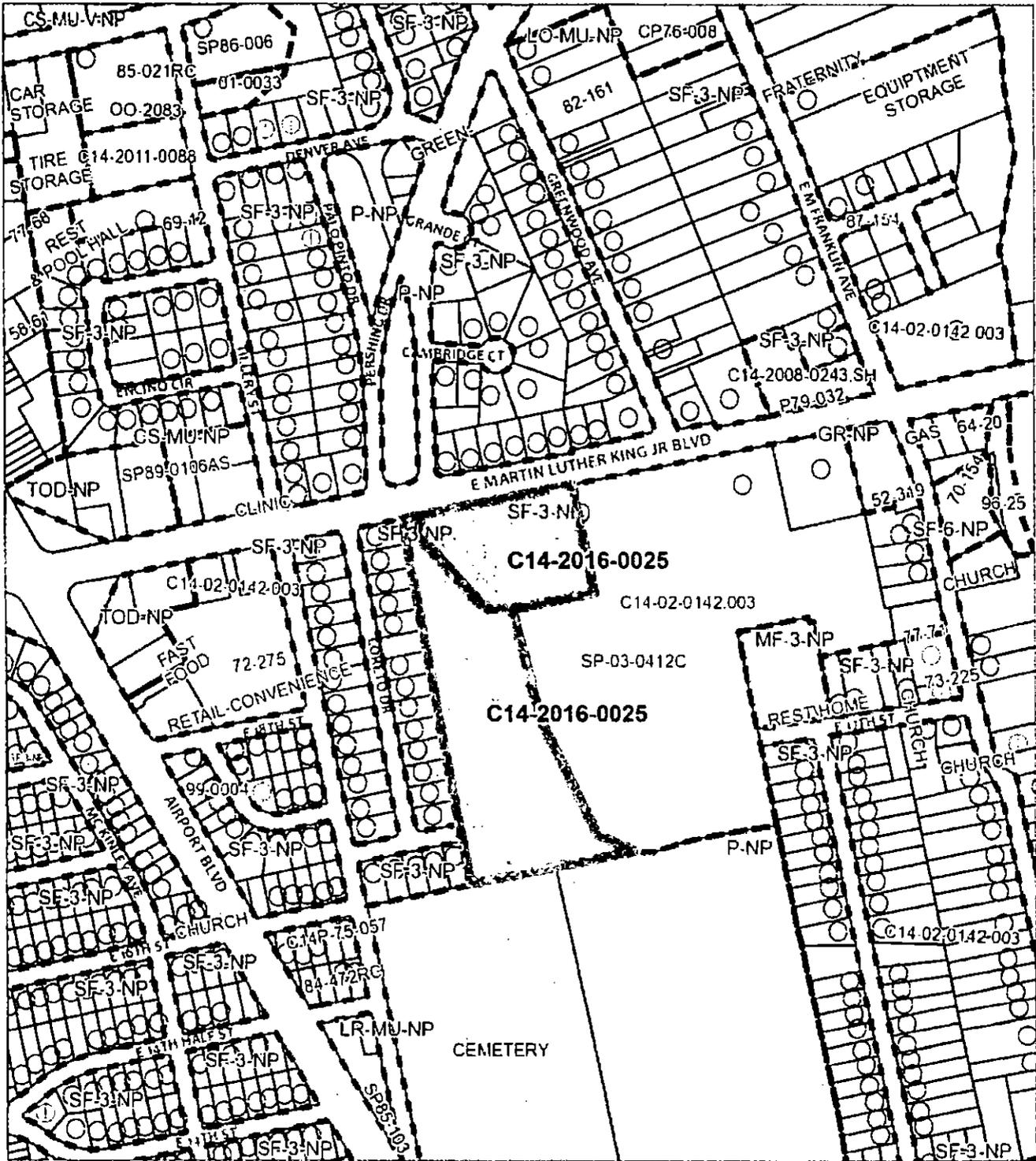


Exhibit C

-  Subject Tract
-  Pending Case
-  Zoning Boundary
-  Railroads

ZONING
 ZONING CASE#: C14-2016-0025



1" = 400'

This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

This product has been produced by CTM for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.



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